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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,597	11/14/2001	Kenji Ose	SIC-00-001-4	3657

7590 11/06/2006

DELAND LAW OFFICE

P.O. Box 69

Klamath River, CA 96050-0069

EXAMINER
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KIM, CHONG HWA

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 11/06/2006

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20061103

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Commissioner for Patents

see attached

  
CHONG H. KIM  
PRIMARY EXAMINER

Art Unit: 3682

1. The reply brief filed Oct 25, 2006 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

PATENT

Attorney Docket No. SIC-00-001-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

KENJI OSE

Application No.: 09/992,597

Filed: November 14, 2001

For: SWITCH STYLE BICYCLE SHIFT  
CONTROL DEVICE

Examiner: Chong Hwa Kim

Art. Unit: 3682

REBUTTAL BRIEF

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

This is a rebuttal brief for the above-captioned matter.

**The rejection of claims 34-37, 43-47, 49-52, 73 and 74 as being anticipated by Higuchi.**

Claim 34 requires the finger contact projection to protrude radially inwardly from a radially innermost outer peripheral surface of the dial so that the shift control device is operated by grasping the finger contact projection with the two fingers or the finger and the thumb radially inwardly from the radially innermost outer peripheral surface such that the rotational axis is sandwiched between the two fingers or the finger and the thumb. The Examiner's Answer at page 11, middle paragraph, states that Higuchi shows, in Fig. 2, a slanted/sloped portion of the projection (8) that is overextended onto the bottom surface of dial (9). However, Higuchi does not say that the slanted/sloped line illustrating the portion of lever (8) near the bottom portion of wire winding element (9) extends radially inwardly from the outer peripheral surface of wire winding element (9), so the Examiner's Answer must be alleging that the slanted/sloped line in Fig. 2 inherently depicts lever (8) extending radially inwardly of the outer peripheral surface of wire winding element (9). It

Appeal Brief Rept Noted and Considered  
Ck 11/3/06